



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Craig J. Gerard, Norma P. Gerard, Charles R. Mackay, Paul D. Ponath, Theodore W. Post and Shixin Qin

Application No.: 08/963,656

Group Art Unit: 1646

Filed: November 3, 1997

Examiner: P. Mertz

Title: ANTIBODIES TO C-C CHEMOKINE RECEPTOR 3 (As Amended)

#21
A.G.J
9/17/01

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>9/20/00</u>	<u>Robin E. MacRae</u>
Date	Signature
<u>Robin E. MacRae</u>	
Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of the national stage in international application; or before mailing date of first office action on the merits or before the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. 1.114; whichever occurs last)

☐ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☐ a \$240.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a Petition under 37 CFR 1.97(d)(2), and

☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ Applicant requests that the attached IDS and cited reference(s) [] be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

- ☒ A copy of the cited reference (AT3) is enclosed.
- ☐ Copies of cited references are enclosed except those entered in prior application, U.S. Serial No. [], and references that are not required to be submitted under 37 CFR 1.98.
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

Concise Explanation Requirement (non-English references):

- ☐ The "concise explanation" requirement for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ the enclosed English language abstract.

REMARKS

Pursuant to 37 C.F.R. § 1.56, this statement is being filed to notify the Examiner that the claims of the subject application were not all commonly owned at the time the last claimed invention was made. The invention of Claims 38, 39, 70, 75, 76, 81, 82, 89-91, 119-124, 144, 146 and 148 was made by Drs. Craig Gerard, Norma Gerard and Theodore Post, while working at Children's Hospital, Boston, Massachusetts.

Thereafter, the invention of Claims 49, 71, 92-98, 125-134, 145, 147, 149 and 150 was made by Drs. Craig Gerard, Norma Gerard, Theodore Post, Charles Mackay, Paul Ponath and Shixin Qin, and the invention of Claims 50-51, 53, 55, 57-69, 72-74, 77-80, 83-88, 99-118 and 135-143 was made by Drs. Mackay, Ponath and Qin. Drs. Mackay, Ponath and Qin made their invention while working at LeukoSite, Inc., Cambridge, Massachusetts.

At the time their inventions were made, Drs. Craig Gerard and Norma Gerard were under obligation to assign their rights in the invention to Children's Medical Center Corporation, Dr. Post was under obligation to assign his rights in the invention to Brigham and Women's Hospital, and Drs. Mackay, Ponath and Qin were under obligation to assign their rights in the invention to LeukoSite, Inc.

It is requested that the information disclosed herein be made of record in this application.

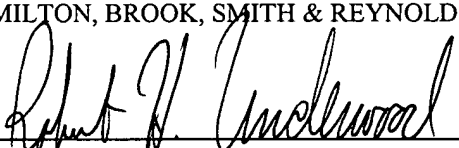
Method of payment:

- [] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- [] Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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Dated:

September 20, 2000